
FEDERAL SUBSISTENCE MANAGEMENT REGULATIONS

FISHERIES

These regulations implement the provisions of Title VIII of ANILCA relevant to the taking of fish and shellfish on public lands in the State of Alaska. The regulations in this part do not permit subsistence uses in Glacier Bay National Park, Kenai Fjords National Park, Katmai National Park, and that portion of Denali National Park established as Mt. McKinley National Park prior to passage of ANILCA, where subsistence taking and uses are prohibited. The regulations in this part do not supersede agency specific regulations.

These regulations apply on all public lands and waters, including all non-navigable waters located on these lands, on all navigable and non-navigable water within the exterior boundaries of the following areas, and on inland waters adjacent to the exterior boundaries of the following areas:

- Alaska Maritime National Wildlife Refuge;
- Alaska Peninsula/Becharof National Wildlife Refuge;
- Aniakchak National Monument and Preserve;
- Arctic National Wildlife Refuge;
- Bering Land Bridge National Preserve;
- Cape Krusenstern National Monument;
- Chugach National Forest, excluding marine waters;
- Denali National Preserve and the 1980 additions to Denali National Park;
- Gates of the Arctic National Park and Preserve;
- Glacier Bay National Preserve;
- Innoko National Wildlife Refuge;
- Izembek National Wildlife Refuge;
- Katmai National Preserve;
- Kanuti National Wildlife Refuge;
- Kenai Fjords National Park;
- Kenai National Wildlife Refuge;
- Klondike Gold Rush National Historical Park;
- Kobuk Valley National Park;
- Kodiak National Wildlife Refuge;
- Koyukuk/Nowitna National Wildlife Refuge;
- Lake Clark National Park and Preserve;
- National Petroleum Reserve in Alaska;
- Noatak National Preserve;
- Selawik National Wildlife Refuge;
- Sitka National Historical Park;
- Steese National Conservation Area;
- Tetlin National Wildlife Refuge;
- Togiak National Wildlife Refuge;
- Tongass National Forest, including Admiralty Island National Monument and Misty Fjords National Monument, and excluding marine waters;
- White Mountains National Recreation Area;
- Wrangell-St. Elias National Park and Preserve;
- Yukon-Charley Rivers National Preserve;
- Yukon Delta National Wildlife Refuge; and
- Yukon Flats National Wildlife Refuge.

This also includes all components of the **Wild and Scenic Rivers System** located outside the boundaries of National Parks, National Preserves or National Wildlife Refuges (including segments of the Alagnak River, Beaver Creek, Birch Creek, Delta River, Fortymile River, Gulkana River, and Unalakleet River).

These public lands remain subject to change through rulemaking pending a Department of the Interior review of title and jurisdictional issues regarding certain submerged lands beneath navigable waters in Alaska.

GENERAL PROVISIONS

FOR TAKING FISH

General Provisions:

You may take fish for subsistence uses at any time by any method, unless you are restricted by the subsistence fishing regulations found in this booklet. You may not intentionally waste or destroy any subsistence-caught fish or shellfish. You may not take fish for subsistence uses within 300 feet of any dam, fish ladder, weir, culvert or other artificial obstruction, unless otherwise indicated. Federal harvest limits in a subsistence season for a species are not cumulative with the State bag limits and season for the same species. This means that if you have taken the subsistence season's harvest limit for a particular species, you may not take any additional fish of that same species under any other State season bag limit.

Rainbow or Steelhead Trout—Unless listed for a fishery management area, you may not take rainbow trout or steelhead trout.

Licenses, permits, harvest tickets, and reports:

You must be a rural Alaska resident, but **no licenses** are required to take fish or shellfish for subsistence uses. However, check the area you wish to fish to see if there are any required **State or Federal subsistence fishing permits or permit calendars** for that fishery management area. If you have been awarded a permit to take fish, you must have that permit in your possession during the taking. Some areas also require special reporting.

You are responsible for complying with all permit requirements and the regulations for methods and means, possession and transportation, and use. If a State or Federal law enforcement agent requests it, you must produce any licenses, permits, harvest tickets, or other required documents. The agents can also inspect any apparatus designed for taking fish or shellfish, or any fish in your possession.

You must complete and validate any harvest tickets, permits, or other required documents before removing your

fish from the harvest site. If you take fish under a community harvest system, you must report the harvest activity.

Read your fishing permit carefully. It lists the number of fish you can take for subsistence uses. Before fishing, you must get the permit, keep it in your possession and available for inspection while fishing or transporting subsistence-taken fish.

The permit may require you to keep accurate daily catch records (such as the number of fish taken by species, location and date of catch) and return them for management and conservation purposes. If you fail to return the record, you may be ineligible to get a subsistence permit for that activity during the following year (unless you can prove the report was lost due to unavoidable circumstances such as mail, accident, or sickness).

Customary Trade and Commercial Uses:

Traditionally, Alaskans trade, barter, or sell fish through customary trade. You can exchange subsistence-harvested fish, fish parts, and fish eggs for cash to

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Customary Trade and Commercial Uses: (cont.)

support personal and family needs, so long as it does not constitute a significant commercial enterprise. Individuals, businesses, or organizations may not purchase subsistence-taken fish, fish parts, or fish eggs for use in, or resale to, a significant commercial enterprise. The Federal Subsistence Board may recognize regional differences and define customary trade differently for separate regions of the State.

Gear:

Abalone iron
Beach seine
Cast net
Clam digger, mechanical or hydraulic
Drift gillnet
Dip net
Diving gear
Fishwheel
Fyke net
Grappling hook
Handline
Hand purse seine
Herring pound
Jigging gear
Lead
Longline
Mechanical jigging machine
Pot
Purse seine
Ring net
Rod and reel
Scallop dredge
Sea urchin rake
Set gillnet
Shovel
Spear
Trawl
Troll gear

Methods and Means of Taking Fish and Shellfish

You may use the following legal types of gear for subsistence fishing, unless otherwise restricted.

General Restrictions

Bait:

You may not use live, non-indigenous, or subsistence-taken fish as bait for commercial or sport fishing purposes. However, you may use whitefish, herring, and unregulated species (that have no harvest limits or seasons listed) for bait. You may also use the head, tail, fins, and viscera of legally-taken subsistence fish.

Explosives, Chemicals:

You may not use explosives or chemicals to take fish for subsistence uses.

Escape Mechanisms:

All pots used to take fish or shellfish must have an escape mechanism as follows:

All shellfish/bottomfish pots sidewalls (and the tunnel if included) must contain an opening at least 18 inches long and within six inches of the pot's bottom and parallel with it (except shrimp pots, where the opening must be at least six inches long). These openings must be laced, sewn, and secured together by a single length of untreated, 100 percent cotton twine (no larger than 30 thread, 36 thread for king or tanner crab pots). The cotton twine may only be knotted at each end, not tied or looped around the web bars.

All pots may also use a galvanic

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Dungeness crab pot lids tie-down straps must be secured to the pot at one end by a single loop of untreated, 100 percent cotton twine (no larger than 60 thread). The pot lid must be secured so that, when the twine degrades, the lid must no longer be securely closed.

Salmon Permits:

You may take **salmon** only with a subsistence fishing permit, unless a permit is specifically not required for an area by the subsistence regulations, or unless you are retaining salmon from your commercial catch.

Gillnet Restrictions:

Salmon—You may not use a gillnet over 50 fathoms long, unless otherwise noted under the specific fishery management area's regulations. The gillnet web must contain 30 filaments (or more) of equal diameter or at least six filaments, each at least 0.20 millimeter in diameter.

Stream Obstructions:

You may not obstruct any stream more than one-half its width with any gear for taking fish for subsistence uses.

Gear Identification:

Fishwheels—Your first initial, last name, and address must be plainly and legibly inscribed on the side of your fishwheel facing midstream of the river.

Kegs, Buoys, Stakes, Unattended Gear—You may use kegs or buoys of any color but red on any permitted gear. Your first initial, last name, and address must be plainly and legibly inscribed on each keg, buoy, gillnet stakes, on stakes for ice fishing gear, and any other unattended fishing gear you use to take fish for subsistence uses.

Rod and Reel Fishing:

You may use a rod and reel to take fish without a subsistence fishing permit, unless an area requires a permit. Federal harvest and possessions limits for subsistence fishing with a rod and reel are the same listed on required harvest permits, or ADF&G subsistence fishing regulations (or, when no subsistence season for that species, the ADF&G sport fishing regulations) in those same areas.

Designating Another to Fish for You (by Harvest Permit only):

If you are a Federally-qualified subsistence user, you (beneficiary) may designate another Federally-qualified subsistence user to take fish on your behalf.

You can only designate one person to fish for you at one time, and cannot fish at the same time as your designated fisherman. Your designated fisherman must get a designated harvest permit before fishing, and must return a completed harvest report.

A designated fisherman may fish for any number of beneficiaries, but may not have more than two harvest limits in his/her possession at any one time or fish with more than one legal limit of gear.

Commercial Fishing:

If you are a Federally-qualified subsistence user who also commercial fishes, you may retain fish for subsistence purposes from your lawfully-taken commercial catch.

When participating in a commercial and subsistence fishery at the same time, your combined fishing gear may not exceed that allowed under the commercial fishing regulations.